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FEDERAL ELECTION COMMISSION

999 E Street, N.W.

Washington, D.C. 20463

FIRST GENERAL COUNSEL'S REPORT

RAD REFERRAL: 08L-21

DATE OF REFERRAL: May 6, 2008

DATE ACTIVATED: May 15, 2008

**STATUTE OF LIMITATIONS: September 1, 2011
– January 31, 2012**

SOURCE:

INTERNALLY GENERATED

REPOENDENTS:

**California Republican Party/V8, and Keith Carlson,
in his official capacity as treasurer**

RELEVANT STATUTES:

2 U.S.C. § 431(20)(A)

2 U.S.C. § 441a(f)

2 U.S.C. § 441b(a)

2 U.S.C. § 441i(b)(1)

11 C.F.R. § 100.24(a)

11 C.F.R. § 102.5(a)

11 C.F.R. § 106.7(a)

11 C.F.R. § 106.7(f)

INTERNAL REPORTS CHECKED:

Disclosure Reports

RAD Referral Materials

OTHER AGENCIES CHECKED:

None

I. INTRODUCTION

The Reports Analysis Division (RAD) referred the California Republican Party/V8 and Keith Carlson, in his official capacity as treasurer (the "Committee"), to this Office for the apparent improper use of non-federal funds for federal election activity (FEA) and for the excessive transfer of non-federal funds for allocated administrative expenses. The Committee's 2006 October Monthly and 12-Day Pre-General Reports indicate a total allocation of \$1,930,314.24 in non-federal funds for a mailer that appears from its description to meet the

definition of FEA. Additionally, the Committee's 2006 12-Day Pre-General, 30-Day Post-General, and Year-End Reports disclose a total excess of \$386,345.02 in non-federal funds transferred to the Committee's federal account for allocated administrative expenses.

Based on the available information, we recommend that the Commission: (1) open a Matter Under Review; (2) find reason to believe that the California Republican Party/V8 and Keith Carlson, in his official capacity as treasurer, violated 2 U.S.C. §§ 441b(a), 441a(f), and 441i(b) and 11 C.F.R. §§ 106.7(f) and 102.5(a)(1)(i);

II. FEDERAL ELECTION ACTIVITY

The Federal Election Campaign Act of 1971, as amended (the "Act"), generally prohibits state party committees from using funds that are not subject to the limitations and prohibitions of the Act, i.e., "non-federal funds," to pay for FEA. 2 U.S.C. § 441i(b). FEA comprises such activities as voter registration activity within 120 days of a federal election and voter identification, get-out-the-vote, and generic campaign activity conducted in connection with an election in which a federal candidate appears on the ballot. 2 U.S.C. § 431(20). Additionally, a public communication is considered FEA if it refers to a clearly identified candidate for federal office and promotes, supports, attacks, or opposes a candidate for that office. 2 U.S.C. § 431(20); 11 C.F.R. § 100.24(b)(3).

State political party committees are prohibited from knowingly accepting contributions from corporate or labor organizations in connection with a federal election. 2 U.S.C. § 441b(a). They are further prohibited from accepting contributions to their federal accounts which in aggregate exceed \$10,000 in a calendar year. 2 U.S.C. § 441a(a), (f). California law, however, permits corporate contributions to non-federal candidates and committees. California Political

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1 Reform Act §§ 82047, 85303. Additionally, California permits individuals to contribute \$25,000
2 per calendar year to party committees' non-federal accounts. CPRA § 85303. As set forth
3 below, the Committee spent over \$1.9 million in non-federal funds in connection with four
4 mailers that are FEA as defined under the Commission's regulations.

5 **A. Factual Background**

6 On October 20, 2006, the Committee both filed its October Monthly Report and called its
7 RAD Analyst with a "hypothetical" question. The Committee asked whether an "absentee
8 ballot" mailer could be allocated using a ratio of eleven percent federal to eighty-eight percent
9 non-federal and whether such a mailer would be considered FEA. The Analyst corrected the
10 Committee's ratio, stating that the ratio for allocable expenses in California in 2006 would be
11 twenty-one percent federal to seventy-nine percent non-federal. *See* 11 C.F.R. § 106.7(d)(2)(iii).
12 In addition, the Analyst affirmed that the mailer would be considered FEA, which would not
13 allow the expenses to be allocated between federal and non-federal accounts. The Committee's
14 2006 October Monthly Report included three disbursements, the non-federal portion of which
15 totals \$1,459,548.98, for an "Exempt Party Mailer" described as "Direct Candidate Support" and
16 identified as "F&M D.C.S. Piece." A memo attached to the Report explained that the cost of the
17 mailer was allocated using an eleven and a half percent to eighty-eight and a half percent federal
18 to non-federal ratio because the mailer did not constitute FEA, contain express advocacy, or
19 directly identify any federal candidate.¹

¹ On the Committee's 12-Day Pre-General Report, it disclosed an additional disbursement for the mailer, the non-federal portion of which was \$478,518.61. The Committee similarly disclosed the purpose of this disbursement as "Exempt Party Mailer" described as "Direct Candidate Support" and identified as "F&M D.C.S. Piece." A memo attached to the report described this mailer disbursement using the same language included in the memo attached to the October Monthly Report. Although the Committee continued to communicate with RAD separately regarding the disbursements on its October Monthly and 12-Day Pre-General Reports, it used the exact same language regarding the "F&M D.C.S. Piece" in both lines of communication, so the latter line of communication is omitted from this Report in the interest of brevity.

1 Over the course of the next several months, the Committee responded to RAD's Requests
2 for Additional Information (RFAs) with varying descriptions of the mailer. On March 5, 2007,
3 an Amended October Monthly Report renamed the "Exempt Party Mailer" as "Party Mailer NO
4 Fed. CND Identified." In a Form 99 response on the same day, the Committee described the
5 mailer as "state candidate related, mostly involving non-federal issue advocacy."² The response
6 further stated that "a small portion of the piece included an element that was 'voter drive' but not
7 Federal Election Activity," and, "the activity was not 'get-out-the-vote activity.'" The
8 Committee also explained that it previously described the mailer as "Direct Candidate Support"
9 for the purpose of overriding software limitations that prohibited the eleven and a half percent to
10 eighty-eight and a half percent ratio.

11 The Committee filed another Form 99 response on May 7, 2007, stating that their
12 March 5 response "may have inadvertently used the term 'voter drive,'" and explaining that the
13 mailer was for neither voter registration nor get-out-the-vote activity. The Committee explained
14 that the mailer mentioned only state candidates and measures, was disseminated between thirty
15 and fifteen days before the November 2006 election, did not urge recipients to vote, and did not
16 contain any personalized information that would assist the voter to vote. Analogizing its mailer
17 to that considered by the Commission in Advisory Opinion 2006-19, the Committee claimed that
18 it could have paid for the mailer with entirely non-federal funds. Three days later, the
19 Committee's counsel called RAD to discuss the mailer. During the discussion, counsel disclosed
20 that the mailer contained a "minimal" voter drive component.

² Committees use FEC Form 99 to file miscellaneous electronic submissions. Committees may submit Form 99 to clarify or explain a certain situation, but not to add, delete, or change information contained in a report. See FECFile User Manual for Candidate Committees, D-12, Dec. 12, 2007 and FECFile User Manual for PACs and Party Committees, D-15, Dec. 12, 2007.

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1 At the Commission's March 10, 2009 Executive Session consideration of our original
2 recommendations in this matter, the Commission directed us to issue respondents a letter inviting
3 respondents to clarify the available information regarding the mailer, which would assist the
4 Commission in making a decision as to whether there is reason to believe respondents violated
5 the Act. *See* Office of General Counsel Letter to Respondents dated April 2, 2009. On
6 April 24, 2009, respondents provided copies of four mailers, for which the disbursements at issue
7 were made. *See* Attachments 1-4. Each mailer identified either the Democratic Party candidate
8 for California Governor, Phil Angelides, who opposed Republican incumbent Governor Arnold
9 Schwarzenegger, or a state ballot measure or issue related to the gubernatorial campaign. *See id.*
10 Each mailer includes a tear-off blank vote-by-mail application form pre-addressed to the relevant
11 county elections officials and asks the recipient to fill out the form and "mail it now!" None of
12 the mailers identify a federal candidate. According to the response, the mailers were distributed
13 between September 22 and October 12, 2006. *See* Attachment 5 at 2-3. The response explained
14 that the mailers were allocated between federal and non-federal funds due to a software issue but
15 that the cost could have been paid entirely with non-federal funds based on the Commission's
16 treatment of the mailer in AO 2006-19 (Los Angeles County Democratic Party Central
17 Committee). *See id.* at 6.

18 B. Legal Analysis

19 State party committees are prohibited from expending non-federal funds for federal
20 election activity. 2 U.S.C. § 441i(b)(1); 11 C.F.R. § 106.7(e)(3).³ Federal election activity
21 includes voter registration, get-out-the-vote, and generic campaign activity, as well as certain

³ Certain types of FEA may be allocated between federal and Levin funds; however, Levin funds do not appear to be at issue here. *See* 11 C.F.R. § 300.32(b).

1 types of public communications. 2 U.S.C. § 431(20)(A)(i), (ii), and (iii). The Commission's
2 regulations specifically define "voter registration" and "get-out-the-vote" activity as types of
3 FEA. *See* 11 C.F.R. § 100.24(a)(2) and (3). Finally, another type of FEA is a public
4 communication that refers to a clearly identified candidate for federal office and promotes,
5 supports, attacks, or opposes any candidate for federal office, regardless of whether it expressly
6 advocates a vote for or against a candidate. 2 U.S.C. § 431(20)(A)(iii); 11 C.F.R. § 100.24(b)(3).

7 Voter registration activity is defined in the Commission's regulations as "contacting
8 individuals by telephone, in person, or by other individualized means to assist them in registering
9 to vote" within 120 days prior to a regularly scheduled federal election. 11 C.F.R.
10 § 100.24(a)(2). Voter registration activity includes, but is not limited to, "printing and
11 distributing registration and voting information, providing individuals with voter registration
12 forms, and assisting individuals in the completion and filling out of such forms." *Id.* The
13 Explanation and Justification for section 100.24(a)(2) provides an example of voter registration
14 activity: "A state party committee conducts a phone bank contacting possible voters. The party
15 staff making the calls encourages the individuals to register to vote, provides information about
16 how to register to vote, and offers to mail registration forms with a prepaid postage envelope to
17 individuals." Explanation and Justification, Definition of Federal Election Activity,
18 71 Fed. Reg. 8926, 8929 (Feb. 22, 2006). The Explanation and Justification also provides an
19 example of an activity that is not voter registration activity: "A guest speaker at a local party
20 committee rally for a mayoral candidate extols the virtues of the candidate and concludes his
21 remarks by stating: 'Don't forget to register and vote!'" *Id.*

22 Get-out-the-vote activity is defined as "contacting registered voters by telephone, in
23 person, or other individualized means, to assist them in engaging in the act of voting," and must

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1 be conducted in connection with an election in which a federal candidate appears on the ballot.
2 11 C.F.R. § 100.24(a)(3). Get-out-the-vote activity includes, but is not limited to, "providing to
3 individual voters information such as the date of the election, the times when polling places are
4 open, and the location of particular polling places." *Id.* "Mere encouragement" of registration or
5 voting does not satisfy these requirements, and therefore does not trigger FEA funding
6 restrictions. 71 Fed. Reg. at 8928. Calling individuals to encourage them to register to vote,
7 providing information on how to do so, and offering to mail them registration forms with a
8 prepaid postage envelope would qualify as voter registration activity, but hosting a rally with a
9 speaker extolling the virtues of a candidate and saying, "Don't forget to register and vote!"
10 would not. *Id.* at 8929. The Commission's Explanation and Justification for 11 C.F.R.
11 § 100.24 stated, "GOTV has a very particular purpose: assisting registered voters to take any
12 and all necessary steps to get to the polls and cast their ballots, or to vote by absentee ballot or
13 other means provided by law." 67 Fed. Reg. 49064, 49067 (July 29, 2002). The Commission
14 also declined to adopt a *de minimis* exception to section 100.24 to allow a nominal amount of
15 GOTV related to a federal election. *Id.* at 49068.

16 The Committee's mailers constitute FEA under the Commission's regulations in place
17 during the 2006 election cycle. The mailers were addressed to specific registered voters and
18 fully half of each mailer consisted of a tear-off absentee ballot application form. Response at 3.
19 The addresses of the relevant county election officials to return the forms were laser-filled on the
20 application forms. *Id.* Three of the mailers contained specific exhortations to "APPLY TO
21 VOTE BY MAIL TODAY. You can't afford to sit this election out!" or "Please Fill Out and
22 Return Your Vote-By-Mail Application Today." See Attachment ("Att.") 1 at 1 and 2; Att. 2 at
23 1; Att. 4 at 1. All four of the mailers contained the statement "Place a 39¢ stamp on your card

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1 and mail it now!" *See* Att. 1 at 2; Att. 2 at 2; Att. 3 at 2; Att. 4 at 2. By disseminating mailers
2 that contained vote-by-mail application forms pre-addressed to the recipients' county election
3 officials, the Committee went beyond "mere encouragement," contacted potential voters by
4 "individualized means," and assisted them with both registering to vote and engaging in the act
5 of voting, specifically, assisting registered voters with voting by absentee ballot. *See* 11 C.F.R.
6 § 100.24(a)(2) and (3); 67 Fed. Reg. at 49067. Although the mailers were sent weeks before
7 election day, they provided recipients with the necessary information and government form to
8 obtain an absentee ballot, an action that could be taken immediately – and indeed the mailers
9 exhorted the recipients to take immediate action, e.g., "mail it now!" – in order to vote in the
10 2006 general election. Further, the mailers encouraged the recipients to sign and date the vote-
11 by-mail application in the Permanent Absentee Voter section so the recipient would receive a
12 ballot through the mail in every future election. *See* Att. 1 at 2; Att. 2 at 2; Att. 3 at 2; Att. 4 at 2.
13 In sum, the Committee's mailers constitute "voter registration activity" by contacting individuals
14 by individualized means to assist them in registering to vote and constitute "get-out-the-vote
15 activity" by assisting them in engaging in the act of voting. *See* 11 C.F.R. § 100.24(a)(2) and
16 (a)(3).

17 The mailers have several significant factual distinctions from the mailer and phone scripts
18 considered in Advisory Opinion 2006-19 (Los Angeles County Democratic Central Committee),
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1 in which the Commission considered whether telephone scripts and a mailer constituted FEA.⁴
2 In AO 2006-19, which the Committee cited as analogous to its own activity in communications
3 with RAD staff and in its response to our April 2, 2009 letter, the Commission concluded that a
4 mailer endorsing non-federal candidates, advertising the date of the municipal general election
5 and federal primary election, targeted to Democrats within a certain county, and disseminated
6 four days before the election would not be considered get-out-the-vote activity.⁵ There are
7 significant factual distinctions between the communications considered in AO 2006-19 and those
8 under consideration in this matter. Although both sets of communications endorsed certain non-
9 federal candidates, only the Committee's communications at issue in this matter included
10 material that would assist the recipient in the act of voting – the absentee ballot application
11 forms. Further, the forms were pre-addressed to the relevant county election officials, and thus
12 “individualized” to recipients, unlike the mailers and scripts considered in 2006-19, which
13 simply stated the date of the election – and, in the case of the mailer, provided a website address

⁴ The D.C. Circuit in *Shays III* relied on AO 2006-19 in concluding that the current definitions of “get-out-the-vote activity” and “voter registration activity” contained in 11 C.F.R. § 100.24(a)(2)-(a)(3) permit party committees to use purely non-federal funds for FEA, directly counter to BCRA’s purpose. *Shays v. FEC*, 528 F.3d 914, 932 (D.C. Cir. 2008). The court identified two concerns about the current regulations. First, the “actual assistance” requirement in both definitions “exclud[es] efforts that actively encourage people to vote or register to vote and dramatically narrow[] which activities are covered.” Second, both definitions’ “individual means” requirement “entirely exclud[es] mass communications targeted to many people.” *Id.* at 931-32. The court pointed to AO 2006-19 as evidence of its concerns that the regulations might allow state party committees to spend non-federal funds on multiple direct mailings targeted to potentially sympathetic voters and automated telephone calls “exhorting recipients to get out the vote.” *Id.* In response to the *Shays III* decision, the Commission issued a Notice of Proposed Rulemaking regarding its FEA regulations. See 74 Fed. Reg. 53674 (October 20, 2009).

⁵ In MUR 5751 (The Leadership Forum), the Office of General Counsel distinguished AO 2006-19 in concluding that The Leadership Forum engaged in get-out-the-vote activity. In contrast to the mailer considered in AO 2006-19, The Leadership Forum’s mailer: (1) arrived on or just before the date of early voting; (2) was targeted to a subset of individuals eligible to vote in the election (Republican households); (3) provided information that was particularized to the needs of individual recipients; and (4) contained the addresses of recipients’ early voting locations. See MUR 5751, General Counsel’s Report #2, dated July 13, 2006. However, based on the totality of the circumstances, including the fact that The Leadership Forum had caused operation, we recommended that the Commission take no further action against The Leadership Forum, and the Commission approved this recommendation. See Amended Certification, MUR 5751, August 1, 2006.

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1 and asked the recipient to "Find Your Polling Place." See 11 C.F.R. § 100.24(a)(3). The timing
2 of the action encouraged in the Committee's mailers was also more immediate than that
3 considered in the AO. While the AO involved communications at least four days prior to the
4 election and the only action encouraged was voting on election day, the Committee urged
5 immediate action by the mailer recipients that was not dependent on the date of the election
6 itself. As noted, all of the mailers encouraged recipients to take immediate action to obtain a
7 ballot before the deadline with phrases such as, "Please Fill Out and Return Your Vote-By-Mail
8 Application Today," "APPLY TO VOTE BY MAIL TODAY. You can't afford to sit this
9 election out!" and "Place a 39¢ stamp on your card and mail it now!" See Attachments 1-4. All
10 of these factors distinguish the Committee's mailers from the script and mailer considered by the
11 Commission in AO 2006-19.

12 Because the Committee's mailers appear to constitute federal election activity under the
13 Commission's regulations, and were paid for mostly by the Committee's non-federal account, we
14 recommend that the Commission find reason to believe that the California Republican Party/V8
15 violated 2 U.S.C. §§ 441a(f), 441b(a), and 441i(b) by using non-federal funds to pay for federal
16 election activity.

17 **III. ALLOCATED ADMINISTRATIVE EXPENSES**

18 State party committees may allocate their administrative expenses between their federal
19 and non-federal accounts. 11 C.F.R. § 106.7(c)(2). If the committee allocates these expenses, it
20 must do so according to a set ratio; in California's 2005-2006 election cycle, committees were
21 required to allocate at least twenty-one percent of their administrative expenses to their federal
22 accounts. 11 C.F.R. § 106.7(d)(2). State party committees may transfer funds from their non-
23 federal to their federal accounts only to cover the non-federal share of the allocable expenses,

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1 and these transfers must be made no more than ten days before and no more than sixty days after
2 the payments for which they are designated are made from the federal account. 11 C.F.R.
3 § 106.7(f). When committees have a separate federal and non-federal account, only funds
4 subject to the prohibitions and limitations of the Act may be deposited into the federal account.
5 11 C.F.R. § 102.5(a)(1)(i). In this matter, it appears that the Committee did not properly allocate
6 its administrative expenses between its federal and non-federal accounts.

7 Three of the Committee's 2006 reports reveal apparent excessive transfers of non-federal
8 funds to the federal account for allocated administrative activity. Specifically, the 12-Day Pre-
9 General, 30-Day Post-General, and Year-End Reports each show non-federal transfers for
10 allocated administrative activity on Schedule H3 that exceed the non-federal share of allocated
11 activity reported on Schedule H4, as set forth in the chart below.

2006 Report	Schedule H4 Non-Federal Share of Administrative Activity	Schedule H3 Non-Federal Transfers for Administrative Activity	Apparent Excessive Non- Federal Transfers
Amended 12-Day Pre-General	\$542,926.58	\$623,662.41	\$80,735.83
Amended 30-Day Post-General	\$787,067.60	\$1,162,223.28	\$375,155.68
Amended Year-End	\$461,966.01	\$476,738.02	\$14,772.01
(Corrective Transfers)			(\$84,318.50)
Total			\$386,345.02

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13 With each report, the Committee included the same explanation of the discrepancies:
14 "The transfers shown reflect variations due to timing of transfers based upon reimbursements
15 from the non-federal and Levin accounts the federal account at different points in the 70-day

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1 window provided in Reg. 10-6.7(f)(2) [sic]. No transfers were made outside the 70-day
2 window."

3 On May 8, 2007, after RAD sent an RFAI, the Committee submitted an Amended 30-
4 Day Post-General Report. However, the amended report only revealed a decrease in the non-
5 federal share of allocated administrative activity on Schedule H4. An attached memo stated,
6 "The payment on 10/30/06 has been moved from the H4 to H6. Assuming all other open issues
7 with the Fec [sic] are resolved, we do not believe the committee has over transferred funds, and
8 therefore no corrective action would be necessary."

9 On May 18, 2007, in response to the RFAI, the Committee filed a Form 99 which stated,
10 in part, "We believe the over transfer only deals with the expenditures that were the basis of
11 previous RFAI's. The committee had previously responded to that matter." However, the
12 Committee's 2007 June Monthly Report included a \$44,318.50 corrective transfer from the
13 federal account to the non-federal account.⁶ Although this transfer was in response to unrelated
14 activity, RAD factored the transfer amount into the total violation amount, yielding a current
15 violation of \$386,345.02.

16 We notified the Committee of a referral for the excessive transfer of non-federal funds for
17 allocated administrative expenses on August 7, 2009, pursuant to the Commission's Agency
18 Procedure for Notice to Respondents in Non-Complaint Generated Matters. The Committee's
19 response stated that the Committee intended to make corrective transfers of funds from the
20 federal to the non-federal account within two weeks. The response explained that the Committee
21 would make transfers "in an amount that would equal the difference between a full corrective

⁶ In addition to this corrective transfer, RAD also factored in a \$40,000 transfer made by the Committee during the last ten days of the reporting period, yielding the \$84,318.50 listed in the chart above. See 11 C.F.R. § 106.7(f).

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1 reimbursement for the four mailings in question that were subject to AO 2006-19 and the
2 \$386,345.02 amount." Attachment 6 at 1-2. Although it appears that the Committee intends to
3 "credit" the federal funds allocated for the four mailers previously discussed, the excessive
4 transfer of non-federal funds issue involves transfers for a separate category of allocated
5 expenses over different reporting periods. On November 2, 2009, the Committee notified RAD
6 that it made a \$60,000 corrective transfer from the federal account to the non-federal account on
7 October 30, 2009.

8 Based on its 2006 Amended 12-Day Pre-General, 30-Day Post-General, and Year-End
9 Reports, it appears that the Committee transferred a total excess of \$386,345.02 in non-federal
10 funds into its federal account. The Committee made a \$60,000 corrective transfer in October
11 2009. Furthermore, in transferring excess non-federal funds into its federal account, the
12 Committee may also have transferred non-federal funds containing contributions prohibited in
13 connection with a federal election. See 2 U.S.C. §§ 441a(a) and (f) and 441b(a);
14 CPRA §§ 82047, 85303. Accordingly, we recommend that the Commission find reason to
15 believe that the California Republican Party/V8 violated 2 U.S.C. §§ 441b(a) and 441a(f), and
16 11 C.F.R. §§ 102.5(a)(1)(i) and 106.7(f).

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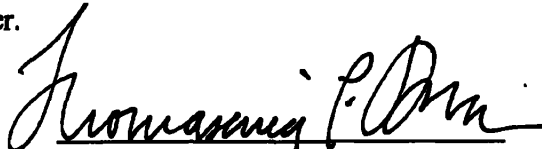
22 **V. RECOMMENDATIONS**


23 1. Open a MUR;
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2. Find reason to believe that the California Republican Party/V8 and Keith Carlson, in his official capacity as treasurer, violated 2 U.S.C. §§ 441b(a), 441a(f), and 441i(b) and 11 C.F.R. §§ 106.7(f) and 102.5(a)(1)(i);
3. Approve the attached Factual and Legal Analysis;
4. _____
5. _____
6. Approve the appropriate letter.

Date

2/19/2010


Thomasenia P. Duncan
General Counsel


Ann Marie Terzaken
Associate General Counsel for Enforcement


Mark Allen
Assistant General Counsel


Kasey Morgenheim
Attorney

Other Staff Assigned:
Margaret Ritzert

Attachments:

1. "Taxes" Mailer
2. Proposition 83 Mailer
3. Proposition 85 Mailer
4. "Border Security" Mailer

Phil Angelides is Threatening More Than \$18 Billion in New Taxes

Attention Republicans
You can't afford to
sit this election out!
Fill out and return
your vote-by-mail
application today!

Non-Profit Org.
U.S. Postage
PAID
California
Democratic Party

• **Supply:** 400,000 units

California Republican Party
1903 West Magnolia Blvd.
Burbank, CA 91506-1777

APPLICATION FOR AN ABSENTEE BALLOT	
FOR THE <u>11/7/2006</u> <small>(month, day, year)</small>	GENERAL ELECTION _____ <small>Type of election</small>
It is chosen as absentee ballot, complete the information on this form. This application must be received by the clerk or official no later than <u>10/15/06</u> .	
1. PRINT NAME:	2. HAVE UP NEXT: _____ <small>county or</small>
<div style="display: flex; justify-content: space-between;"> Precinct Name _____ Voter Number or Serial _____ </div>	
3. RESIDENCE ADDRESS (include apt#)	
Number and Street - do not omit City State Postal Zone, zip no exceptions (do lengthen R.T.V. if used)	
4. TELEPHONE NUMBER(s): _____ <small>County</small>	ZIP Code _____
5. PREVIOUS MAILING ADDRESS FOR BALLOT IF DIFFERENT FROM ABOVE:	
No-For Registration districts No-Use one address only unless otherwise authorized.	
Number and Street P.O. Box City/Town S.E.A.S.T. of state	
I am _____	ZIP Code _____
B THIS APPLICATION WILL NOT BE ACCEPTED WITHOUT THE PROPER SIGNATURE OF THE APPLICANT	
I have now applied for, and so I intend to apply for an absentee ballot than my other jurisdiction to this election. I hereby make penalty of perjury under the laws of the Jurisdiction affirming that I am free and unincumbered and sufficient to take part in this application on this date. <div style="display: flex; justify-content: space-around;"> SIGNATURE _____ Date _____ </div>	
INWASH STATE: <small>Penalty as provided in the Department for their person or their spouse or their parents' absence</small> <small>to vote at the Election Poll Center</small>	
THIS FORM PROVIDED BY: The California Republican Party, 1903 West Alameda Boulevard, Berkeley, CA 94606. 818841-3270	

[illegible]

APPLICATION FORM FOR AN ARRESTING BALLOT

FOR THE 11/7/2000 (month, day year)	SERIAL (type of document)	ELECTION
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To obtain an election ballot, complete the information on this form. This application must be approved by the chairman of the election board on or before **10/31/2000**.

1. PRINT NAME _____
Last Name Middle Name or Initial First Name

2. BIRTH DATE OF BIRTH _____
(month/day/year)

3. RESIDENCE ADDRESS (please print) _____
Number and Street or Highway P.O. Box, Rural Route, etc. are acceptable. (City/Town, S.E.W. if rural)

4. TELEPHONE NUMBER: () _____
Area Code Local Number

5. PRINT MAILING ADDRESS FOR BALLOT IF DIFFERENT FROM ABOVE:
NAME _____
Number and Street P.O. Box City/Town, S.E.W. if rural

6. SIGNATURE OF APPLICANT _____
Last First Middle Initial

7. THIS APPLICATION WILL NOT BE ACCEPTED WITHOUT THE PROPER SIGNATURE OF THE APPLICANT.

I have not applied for, nor do I intend to apply, for an election ballot three days after completion of this election. I hereby under penalty of perjury swear that the facts set forth herein are true and my address and information I have provided on this application are true and correct.

Date

NOTES: Incomplete applications will be returned without further processing. Return date four years, six months.
I Want the California Postal Code!

8. THIS FORM PROVIDED BY:
The California Republican Party, 9003 West Magnolia Boulevard, Burbank, CA 91506, (818) 841-5210

[illegible]

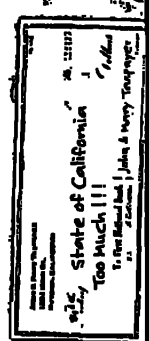

**Phil Angelides Will Cost California Taxpayers
More Than \$18 Billion in New Taxes!**

He has proposed:

- Dismantling Prop 13 and raising property taxes
- Higher individual income taxes
- Higher sales taxes
- New taxes on auto repair, legal, and accounting services
- Higher taxes on small businesses and family farms

APPLY TO VOTE-BY-MAIL TODAY

**You can't afford
to sit this
election out!**



Please Read These Important Instructions

- 1 Fill in the required information in the yellow areas on the reverse of this card.
- 2 Be sure to sign and date your application in section 6.
- 3 Also, sign and date your application in the Permanent Absentee Voter section so you can receive your ballot through the mail in every election.
- 4 Place a 39¢ stamp on your card and mail it now!

PLACE
STAMP
HERE

Please place
39¢ stamp here!

REGISTRATION ADDRESS
Address

PLACE
STAMP
HERE

Please place
39¢ stamp here!

REGISTRATION ADDRESS
Address

Attachment 1
Page 2 of 2

There Are 85,000 Registered Sex Offenders in California...

Los Angeles Times
"These Things Just Never Seem to Have Happy Endings"
Kidnapping: As events unfold, San Bernardino County
July 17, 2002

Orange County Register
December 10, 1993
Kidnap alert issued in Buena Park
POUCE: Two attempted abductions at a minimall prompt warnings to parents to be cautious.

San Francisco Chronicle
July 19, 2002
Advocates: Child predators finding cracks in the school system
New professional

Statewide
manhunt for girl's killer

Sacramento Bee
February 12, 2006
Sexual predators evading treatment
Many violent molesters and rapists sent to a state mental facility are being

Please Fill Out and Return Your Vote-By-Mail Application Today

California Republican Party
1900 West Alameda Blvd.
Berkeley, CA 94706-1727


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Registration Party

FOR INFORMATION PURPOSES ONLY
POSTAGE WILL BE PAID BY ADDRESSEE
NO POSTAGE NEEDED IF MAILED IN THE U.S.

Attachment 2
Page 1 of 2

10044282532

There Are 85,000 Reasons to Vote YES on Proposition 83



Over 85,000 registered sex offenders live in California. We need Prop. 83 to protect our children.

Proposition 83 Will:

- Keep child rapists in prison longer - 15 years to life
- Keep dangerous sex offenders behind bars for their full sentence - no early release
- Electronically monitor dangerous sex offenders for life with GPS tracking
- Create predator-free zones around schools and parks

▲ Detach, fill out and mail today ▲

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REGISTRATION ADDRESS

PLEASE PLACE 39¢ STAMP HERE!

NAME

STAMP

HERE

Attachment 2
Page 2 of 2

Attention Republican:

Your child can't get an aspirin from the school nurse without your permission.

But in California, 12-year old girls can be given abortions without parental knowledge...



Protect Our Families and Our Values – Vote-By-Mail

California Republican Party
1903 West Magnolia Blvd.
Burbank, CA 91506-1727

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EE57827P001

Proposition 85 Will:

- Require 48 hours notice to parents before an abortion can be performed on a minor
- Give parents the information they need to report rape or sexual abuse of their children
- Enable parents to ensure their children receive proper medical care

Please Read These Important Instructions

1. Fill in the requested information on this ballot.
2. Be sure to sign your name and date.
3. Also, sign and date your name in the section for your ballot.

Paid for by the California Republican Party - not authorized by any federal candidate or committee

APPLICATION FOR AN ABSENTEE BALLOT
FOR THE 11/7/2006 GENERAL ELECTION
(month, day, year) (type of election)

To obtain an absentee ballot, complete the information on this form. This application must be received by the elections official no later than 5 p.m. on 10/31/06.

1. PRINT NAME: _____ 2. DATE OF BIRTH: _____
First Name Middle Name or Initial Last Name

3. RESIDENCE ADDRESS (please print):
Number and Street - as registered (P.O. Box, Rural Route, etc. not acceptable) (Designate N, S, E, W if used)

City _____ County _____ ZIP Code _____
4. TELEPHONE NUMBER: () _____ () _____
daytime (optional) evening (optional)

5. PRINT MAILING ADDRESS FOR BALLOT (IF DIFFERENT FROM ABOVE):
NOTE: Organizations distributing this form may not provide mailing address information.
Number and Street/P.O. Box (Designate N, S, E, W if used)
City _____ U.S. State or Foreign Country _____ ZIP Code _____

6. THIS APPLICATION WILL NOT BE ACCEPTED WITHOUT THE PROPER SIGNATURE OF THE APPLICANT
I have not applied for, nor do I intend to apply for, an absentee ballot from any other jurisdiction for this election. I certify under penalty of perjury under the laws of the State of California that the name and residence address and information I have provided on this application are true and correct.
SIGNATURE _____ Date _____
WARNING: Perjury is punishable by imprisonment in state prison for two, three or four years. (Section 126 of the California Penal Code)

7. THIS FORM PROVIDED BY:
The California Republican Party, 1903 West Magnolia Boulevard, Burbank, CA 91506, 818-841-5210
Important: organizations providing this form must cover their name, address and telephone number

APPLICATION FOR AN ABSENTEE BALLOT
FOR THE 11/7/2006 GENERAL ELECTION
(month, day, year) (type of election)

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1. PRINT NAME: _____ 2. DATE OF BIRTH: _____
First Name Middle Name or Initial Last Name

3. RESIDENCE ADDRESS (please print):
Number and Street - as registered (P.O. Box, Rural Route, etc. not acceptable) (Designate N, S, E, W if used)

City _____ County _____ ZIP Code _____
4. TELEPHONE NUMBER: () _____ () _____
daytime (optional) evening (optional)

5. PRINT MAILING ADDRESS FOR BALLOT (IF DIFFERENT FROM ABOVE):
NOTE: Organizations distributing this form may not provide mailing address information.
Number and Street/P.O. Box (Designate N, S, E, W if used)
City _____ U.S. State or Foreign Country _____ ZIP Code _____

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WARNING: Perjury is punishable by imprisonment in state prison for two, three or four years. (Section 126 of the California Penal Code)

7. THIS FORM PROVIDED BY:
The California Republican Party, 1903 West Magnolia Boulevard, Burbank, CA 91506, 818-841-5210

FOR OFFICIAL USE ONLY

NOTICE

You have the legal right to mail or deliver this application directly to the local elections official of the county where you reside. Returning this application to anyone other than your elections official may cause a delay that could interfere with your ability to vote.

PERMANENT ABSENTEE VOTER

☐ Check here to become a Permanent Absentee Voter. Any voter may request to be a Permanent Absentee Voter. If you check the box above and sign here:

an absentee ballot will automatically be sent to you for future elections. Failure to vote in a statewide general election will cancel your Permanent Absentee Voter Status and you will need to reapply. If you have any questions concerning voting by Absentee Ballot, telephone your county of residence Elections office.
Elections Code Section 3201, 3206

The format used on this application MUST be used by ALL individuals, organizations and groups that distribute absentee ballot applications.

Elections Code Section 3007
Failure to conform to this format may result in criminal prosecution.
Elections Code Section 16402

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Failure to conform to this format may result in criminal prosecution.
Elections Code Section 16402

10044282535

10044282536

please place
39¢ stamp here! →

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HERE

please place
39¢ stamp here! →

PLACE
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HERE

On the Issue of Border Security There is a Real Difference



Democrat Phil Angelides Said:
*"I oppose sending the National
 Guard to the border."*

Source: The California Report, 5/23/06

Fill Out and Return Your Vote-By-Mail Application Today

California Republican Party
1903 West Alameda Blvd.
Berkeley, CA 94704-1777

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THE UNIVERSITY OF CHICAGO

[illegible][illegible]

APPLICATION FOR AN ALIEN'S BALLOT

FOR THE 11/2/2000 GENERAL ELECTION

(month, day, year) (type of election)

To obtain an alien ballot, complete the information on this form. This application must be received by the elections office no later than 3p on 10/21/00

1. PRINT NAME: _____

2. DATE OF BIRTH: _____ (month-day)

First Name _____ Middle Name or Initial _____ Last Name _____

3. RESIDENCE ADDRESS (please print): _____

(House and Street or apartment # & Box, Rural Routes, use appropriate) (Apostrophe, A.L.T. & P.O.)

City _____ County _____ ZIP Code _____

4. TELEPHONE NUMBER: _____ (include area code) _____ (working/implant)

5. PRINT MAILING ADDRESS FOR BALLOT IF DIFFERENT FROM ABOVE: _____

(Include zip, include dwelling, the Box type and postmaster's office address)

Gender and Social Sec. # (Apostrophe, U, S, I, W, Foreign) _____

Lang _____ U.S. Born or Foreign Country _____ ZIP Code _____

6. THIS APPLICATION WILL NOT BE ACCEPTED WITHOUT THE PROPER SIGNATURE OF THE APPLICANT

Signature _____

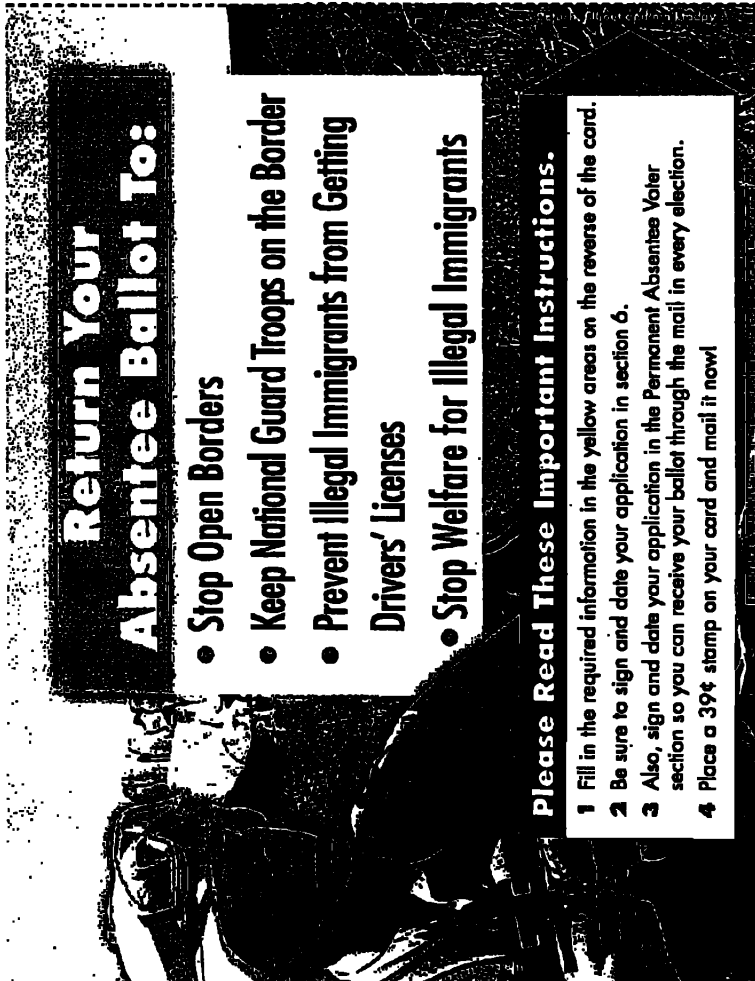
Signature _____

FORWARD: Please provide this by depositing in a mail box or to the nearest election office. 1 of the California Postal Office

7. THIS FORM PROVIDED BY: _____

The California Nevada Party, 1902 West Alameda Boulevard, Burbank, CA 91506, 818-841-5310

[illegible]



Return Your Absentee Ballot To:

- Stop Open Borders
- Keep National Guard Troops on the Border
- Prevent Illegal Immigrants from Getting Drivers' Licenses
- Stop Welfare for Illegal Immigrants

Please Read These Important Instructions.

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ADDRESS